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HEARINGS

Before The

SELECT COMMITTEE ON ASSASSINATIONS

HOUSE OF REPRESENTATIVES

SENSITIVE

BUSINESS MEETING

- - -

EXECUTIVE SESSION

Washington, D.C.

June 13, 1977

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WITHDRAWN NOTICE

1 Mr. Fauntroy. Right.

2 The Chairman. Thank you.

3 Let me mention just one other thing before we recognize  
4 Mr. Dodd. I didn't want to make these comments in front of the  
5 staff; that is, the committee staff, when you gentlemen were  
6 discussing the matter of going over to the committee and  
7 reading these documents and evidencing some interest in the  
8 work the staff has done. It is important that you do have this  
9 kind of concern.

10 Members of the staff have been over to discuss this type  
11 of matter with me. Tom Lambeth is here and I am sure, Tom, if  
12 you wanted to, would give you information on this situation.  
13 There is a tremendous morale problem with our problem. Much  
14 of it has to do with the facts and circumstances surrounding  
15 other things that have happened with this staff. But over and  
16 above it, they have not seen, members of this committee,  
17 evidence of very much interest in them or the work that they  
18 have been doing.

19 They have done an enormous amount of work that this commit-  
20 tee is not even aware of. I have discussed the matter with  
21 both subcommittee chairmen and in order to try and correct  
22 the situation, I have asked both of them to set up some meetings  
23 where other persons other than the chief counsel would be able  
24 to brief you as to the specific areas in which they have done  
25 an enormous amount of work and to also try to get some of you

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1 to give those individuals some additional direction in those  
2 areas where they have done this enormous amount of work. And  
3 what they have also asked is that you would perhaps work with  
4 them and you select an area of investigation of which you are  
5 particularly interested and work with that individual or indi-  
6 viduals and give them the kind of direction that they need.

7 I think also this will tend to offset some of the adverse  
8 press that we have been getting where individuals, such as the  
9 author that Mr. Fauntroy made reference to, can tell New York  
10 Times and the media that they are directing our investigation.  
11 This would tend to help offset this in the media's mind and the  
12 staff would be able to say that you are directing the investiga-  
13 tion as you should.

14 Bot Tannenbaum, for instance, is quite exercised over the  
15 fact that thick booklet which he and his staff people compiled  
16 which is dealing with the Kennedy investigation and the Warren  
17 Commission and all the witnesses that this committee should be  
18 interviewing, things of that nature, that no one on the commit-  
19 tee had been over it at the time he talked to me.

20 I know now Bob Edgar has been over several occasions and  
21 sat there and read those various documents. So this is impor-  
22 tan.

23 Mr. Sawyer. Mr. Chairman, do the vote buzzers ring down  
24 in that annex?

25 The Chairman. Do they, Tom?


1 Mr. Edgar. Mr. Chairman, we looked into that. They do  
2 not ring in the rooms that I know of. I requested when I was  
3 down there, both times were very early in the morning and were  
4 not during the period of the bells themselves, but there are  
5 a number of secretaries and staff people who could keep you  
6 in immediate touch with them. I think there would be time to  
7 move from that office to the House floor without any difficulty  
8 within the 15 minutes.

9 The Chairman. We could do like you do and go down very  
10 early in the morning.

11 Mr. Edgar. Eight o'clock, 8:30 is a good time. Between  
12 8:00 and 10:00.

13 The Chairman. Mr. Lambeth.

14 Mr. Lambeth. I would suggest that someone that comes  
15 over probably if they would ask Elizabeth <sup>Berning</sup> Burke who is the  
16 secretary of the Director's Office. She could call one of the  
17 members' office and arrange for them to call immediately if  
18 there were any kind of vote. Having had the experience of  
19 walking back and forth for four weeks, I can tell you, you would  
20 want to start out for the floor immediately after a buzzer but  
21 I believe you could make it to the floor in time for a vote.



22 The Chairman. I further want to take this opportunity to  
23 say to the committee that Tom Lambeth who was borrowed from  
24 Richard Preyeer's office for 10 days, and as he has now been  
25 on the job four weeks, has just done a marvelous job, just a

1 yeoman's job of keeping Richie's office going, at the same  
2 time stabilizing and working with the people on your committee  
3 staff and he is really to be commended. I say it also in  
4 sincerity he has helped stabilize that situation. He has  
5 helped the morale over there tremendously.

6 Tom, I want you to know the committee is deeply indebted  
7 to you for what you have done and we hope soon to relieve the  
8 situation and not keep you at it.

9 Mr. Lambeth. Amen.

10 The Chairman. Was there anything you care to say in terms  
11 of that morale situation?

12 Mr. Lambeth. Mr. Chairman, I just say you are obviously  
13 very sensitive to what you described as to what is there. there  
14 is a considerable morale problem there, most of which I think  
15 will be relieved almost immediately with the appointment of a  
16 permanent chief counsel. Some of the problems that are there  
17 are those that would be in that kind of organization under the  
18 best of circumstances and they are simply exaggerated, I think,  
19 by the uncertainty of leadership.

20 But I think some of this attitude about the committee is  
21 obviously unreasonable and is a product, I think, of people  
22 in their uncertainty saying the committee is not paying atten-  
23 tionus, something like that, which obviously, if nothing else,  
24 indicates they are aware of how busy the committee is. That  
25 is the sort of thing I think will be resolved by the appointment  
of permanent chief counsel and perhaps a little of this effort

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1 of going down there.

2 I really ought to take the opportunity to say to you, my  
3 brief association with these people has made me have great confi-  
4 dence in almost all of them. They are very able people. They  
5 are people that are very dedicated to the job that they have  
6 undertaken. I think with a permanent chief counsel they will  
7 perform very well. I thank you for your kind words.

8 The Chairman. Thank you very much, Tom.

9 Now we will move then to that next subject, which is the  
10 search for a new chief counsel. Chris Dodd, as you know, was  
11 appointed as chairman of a task force to conduct this search.  
12 He and this task force has done a tremendous job. They have  
13 spent a great deal of time and effort in trying to search  
14 through the various resumes that have come to our attention  
15 and to contact various individuals who have been recommended  
16 to us for consideration. And I would like at this time to  
17 recognize Mr. Doff for that report.

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srs fols





1 Mr. Dodd. Thank you, Mr. Chairman.

2 I will try and be brief. Actually, most of the people  
3 who served on the task force are here, but for purposes of the  
4 record and for Charlie Thone who was not on there and Sam who  
5 was on but because of his slight illness he had was unable to  
6 participate--I know he full intended to -- first of all,  
7 Mr. Chairman, I want to take this opportunity to thank the  
8 members of the task force who showed up hour after hour, day  
9 after day, during a process where we sometimes began to wonder  
10 if we were ever going to be able to conclude it.

11 It was really quite impressive to have a group of us there  
12 during every interview. There was never a situation where I  
13 was there alone or any one single member of Congress was alone,  
14 interviewing a potential chief counsel. The people partici-  
15 pated just as fully as possible.

16 For the purposes of the record, of course, that task  
17 force did include Mrs. Burke, Floyd Fithian, Bob Edgar, Hal  
18 Sawyer, Stew McKinney, Sam Devine and myself. I think I  
19 included everyone in that task force.

20 Very briefly, Mr. Chairman, the search committee began  
21 by reviewing some 111 people, names which had come to us as a  
22 result of your inquiries to various national organizations,  
23 contacts with specific people in the country who had a repu-  
24 tation for assisting other congressional committees in the  
25 past in their search for staff, particularly in the area of

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1 chief counsel, chief administrators.

2 Before I move on any further, I would be negligent at  
3 the very least if I did not also point out we had staff mem-  
4 bers from each one of the members of the task force who worked  
5 very, very hard, in fact, an awful lot of work preparing  
6 the documentation, seeking out the materials from the Library  
7 of Congress, making contact and ~~phone calls~~ with all the  
8 people across the country. Our guess is that this total  
9 process took somewhere in the neighborhood of 300 to 400  
10 manhours over the period of two and a half to three weeks,  
11 which is really quite extensive.

12 At any rate, we had a first go-round where we contacted or  
13 looked at some 64 individuals on paper. From that list of 64  
14 we narrowed down as a group 17 candidates that we thought  
15 should be interviewed personally, if they would be so willing.  
16 Of that list of 17 that we contacted, six expressed a sincere  
17 interest in serving as chief counsel and staff director of this  
18 committee.

19 We interviewed all six of them and felt we should go  
20 further. From that group we were not satisfied entirely with  
21 the individuals that we had had a chance to talk to, so we  
22 then went back through the same process again, looking at a  
23 list of 47 to 50 people, again by contacting various people  
24 around the country, various organizations and so forth.

25 From that group of 50 we narrowed it down to another group



1 of some 13 or 14 that we thought would be worth looking at.  
2 From that group some seven people agreed and indicated a  
3 strong interest in serving on the committee.

4 As a result of those interviews and the interview of the  
5 first group, we came up with two teams, so to speak, and the  
6 reason for it was that we found so many qualified people, as a  
7 result of going back over our own work. We found it almost  
8 impossible to come up with any one person that all of us  
9 completely agreed on.

10 As was agreed previously, prior to the time of starting  
11 this process, our intention as a task force was to try and  
12 narrow down the group and submit those names we thought would  
13 be eminently qualified to you, Mr. Chairman, for the final  
14 decision. We did not feel we should or could make that final  
15 determination.

16 In reviewing these people, I must also point out that  
17 we were looking for certain characteristics and qualities in  
18 each one of these people. Although these do not necessarily  
19 appear in any order of preference, we did consider their  
20 professional standing, their administrative experience, their  
21 investigative experience, their prosecutorial experience,  
22 integrity, personality, ability to get along with other people,  
23 political sensitivity, writing ability and, of course, any  
24 possible information in their own background, professional or  
25 otherwise, which could reflect poorly on this committee's

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1 efforts during the next year and a half.

2 From those lists and groups of people we talked to, as I  
3 previously mentioned, we came back with two teams.

4 The two teams we came up with, the first team consisted  
5 of Professor Robert Blakey who was a professor at Cornell  
6 University, former chief counsel to the McClellan Senate  
7 Committee, had been there for some four or five years. Prior  
8 to that time he had experience in the Justice Department, has  
9 written extensively and was a rather impressive individual.

10 Mr. Zagel, Chicago prosecutor, who is presently the  
11 Executive Director of the Illinois Crime Commission -- that  
12 may not be the exact title but it is the crime commission.

13 The Chairman. Law Enforcement Commission.

14 Mr. Dodd. And Attorney General Highland was the Attorney  
15 General of New Jersey, who has been, by the way, the attorney  
16 general under four administrations in that State and has exten-  
17 sive background and experience as well. Mr. Highland removed  
18 himself voluntarily from that first team. He contacted the  
19 Chairman. For reasons of his own, he regretfully declined to  
20 be considered in that final group.

21 The second group consisted of Mr. Jaffe, Professor of  
22 Israel from the University of Michigan; and Mr. Schaeffer,  
23 former dean of the Notre Dame Law School. Mr. Jaffe is a U.S.  
24 Attorney from New York.

25 At that time, Mr. Chairman, we submitted to you those names.

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1           Rather than go into what you finally decided to work on, I would  
2 like to sum up by saying this did involve numerous manhours, and I feel  
3 we did as good a job as we could under the time constraints  
4 we were operating under in trying to do the job, to conduct  
5 the search in as thorough and competent a manner as we could.

6           I am satisfied at this point, Mr. Chairman, that you have  
7 before you the names of people, at least the task force anyway  
8 feels we could live with very easily and would believe they  
9 would bring credit to this committee in its effort to resolve  
10 the questions surrounding these two assassinations.

11           I will be glad to answer any questions from any of the  
12 other committee members. I am sure my colleagues on the task  
13 force might like to comment on the process or make any other  
14 additional observations.

15           The Chairman. Do any members of the task force want to  
16 make additional comments?

17           (No response.)

18           The Chairman. I certainly want to once again thank you,  
19 Mr. Dodd, and each member of the task force.

20           Mr. Fithian. May I just say one thing?

21           The Chairman. I will recognize you in just a moment.

22           I do want to -- on the record -- thank both the chairman  
23 and the members of this task force for having spent this type  
24 of time in behalf of a search. I think all of us on the com-  
25 mittee recognize the importance that all of us attach to this



1 particular office, staff, and the ultimate report which we must  
2 go to the American people with. It is obvious you have expended  
3 an awful lot of time and effort. I very sincerely appreciate  
4 all your work on this.

5 I recognize Mr. Fithian.

6 Mr. Fithian. I just want to say, cutting down to two  
7 categories of people in this choice process, you could select  
8 a person for his prosecutorial ability and make that really the  
9 heavy emphasis, or you could get someone who had a lot of ad-  
10 ministrative experience to write a good report and manage the  
11 staff, and if you are lucky to get somebody who has some contact  
12 with Washington, some contact with the Hill, so they know what  
13 the congressional committees and congressional staffs are all  
14 about, and it is hard to find somebody who has had all of these.  
15 It is hard to be an outstanding national prosecutor, have con-  
16 tact and long years of experience on the Hill, and also be able  
17 to administer a large number of lawyers.

18 It is just not a normal combination. I think I could  
19 live very happily with any one of the six on the first and  
20 second teams. For various other reasons, I would not have been  
21 happy had we gone beyond that, beyond the top six.

22 Mr. Thone. Mr. Chairman --

23 The Chairman. Mr. Thone.

24 Mr. Thone. Mr. Dodd, what did Mr. Blakey teach at Cornell?

25 Mr. Dodd. He is in the Law School there and he teaches --



1 if you will wait one second, let me pull out his resume for you.

2 Mr. Thone. How old is he, by the way?

3 Mr. Dodd. I would be guessing. Off the top of my head,  
4 I believe he is 45. Let me get his resume for you.

5 The Chairman. Born 1936.

6 Mr. Dodd. Born 1936, so that would make him 41.

7 The Chairman. The other fellow is 36, Mr. Zagel.

8 Mr. Thone. What is his first name?

9 The Chairman. James B. Zagel.

10 Mr. Sawyer. I was tremendously impressed by this fellow  
11 Zagel.

12 Mr. Dodd. Mr. Chairman, if I may ask the gentleman to  
13 yield, he teaches criminal law, procedure, property, seminars,  
14 organized crime and faculty advisor. He also taught at Notre  
15 Dame Law School.

16 Mr. Thone. Going to the Notre Dam Law School, did you  
17 say the current or former dean?

18 Mr. Dodd. Former dean.

19 Mr. Thone. What does he do now?

20 Mr. Dodd. He is a professor there.

21 Mr. Fithian. Every five or six years they rotate that  
22 deanship. He is back on the staff again.

23 The Chairman. It might help, Mr. Thone, just reading out  
24 part of the things on it: A.B., 1957, University of Notre Dame;  
25 L.B., 1960, Notre Dam Law School, Special Attorney Honors

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1 Program; Organized Crime, Racketeering Section, Criminal  
2 Division, United States Department of Justice, 1960 to 1964;  
3 Assistant Professor of Law, Notre Dame Law School, 1964 to  
4 1967; Professor, 1967 to 1974. Chief Counsel, Subcommittee on  
5 Criminal Laws and Procedures, Chairman John L. McClellan,  
6 Committee on the Judiciary, United States Senate, 1969 to 1973;  
7 Assault on Organized Crime, President's Commission on Law  
8 Enforcement and Administration of Justice, 1966 to 1967; Report  
9 on Electronic Surveillance, American Bar Association Project  
10 for Minimum Standards in Criminal Justice, 1967-1968; Consult-  
11 and on Conspiracy, Organized Crime, National Commission on the  
12 Reform of the Federal Penal Law, 1968; member, Task Force on Legalized  
13 Gambling, 20th Century Assault, Commission on Review of National  
14 Policy, 1974-1975; member, National Commission for the Review  
15 of Federal and State Laws relating to Wire Tapping and Elec-  
16 tronic Surveillance, 1974-1975; professor, Cornell Law School  
17 since 1973; Director, Cornell Institute on Organized Crime,  
18 subjects: criminal justice, criminal procedure, seminar on  
19 organized crime.

20 I might say I have now interviewed both of these appli-  
21 cants and I also had talked with Mr. Highland prior to his with-  
22 drawal. All three individuals are very, very choice. Each  
23 is outstanding in his own right. Zagel, of course, is a little  
24 younger. He is about 36 years old and has not had, I suppose,  
25 the extensive type of experience that Blakey appears to have

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1 had at 45, and yet he is the type of a fellow who at 36 is  
2 considered to be an old prosecutor because he has been in the  
3 field quite a while.

4 They are tremendously impressive.

5 I suppose on balance I would lean perhaps a little more  
6 toward professor Blakey. I think I do so because on balance I  
7 think he has perhaps a little more experience in different  
8 areas than Mr. Zagel has and has the advantage of having had  
9 Capitol Hill experience and is familiar with the working  
10 members of Congress and Hill administration situation, which  
11 is also unique.

12 I found Mr. Zagel, while he has had some administrative  
13 experience, some relationship to persons in the State legis-  
14 lature, also very knowledgeable in terms of the political  
15 process and how to get along with officials he has to deal  
16 with in official capacity and so forth.

17 It is just in my own personal type of reaction that on  
18 balance I would put Blakey just a little bit above.

19 Mr. Dodd. If the Chairman would yield, just one point I  
20 think should be mentioned.

21 I made an effort to contact Senator McClellan, to ask him  
22 about how he had performed in his role as chief counsel over  
23 there at that committee. Unfortunately, Senator McClellan just  
24 returned home from an operation in the hospital, but I did  
25 manage to speak with one of his top assistants who has been with  
the senator for numerous years and knew Blakey very, very well.

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1 Speaking with him on a confidential basis, he told me he  
2 would speak for the Senator without hesitation and that Bob  
3 Blakey was the finest person he every had working for him,  
4 he was top flight, in fact, felt so highly of him he has been  
5 strongly recommended for one of the top positions in the Depart-  
6 ment of Justice in the present Administration.

7 I guess many have not been too successful in relationship  
8 with the new Administration in that area. He had the highest  
9 remarks for Blakey. Certainly it is a key question in terms of  
10 his ability to perform as a chief counsel of a congressional  
11 committee.

12 Mr. Sawyer. Mr. Chairman, I was equally impressed, really,  
13 with Zagel and Blakey. They are both top guys. I got the im-  
14 pression, talking to Blakey, he might have some economic problem.  
15 Did you get that?

16 The Chairman. I can speak to that. The task force had  
17 indicated that to me, that we might have a problem there. He  
18 is presently at around \$53,000 and we only pay top of \$47,000.

19 When he and I talked, we discussed that and I told him  
20 \$47.5 thousand would be tops. He then did some computing on  
21 his own there with me with reference to the fact the retirement  
22 situation here would provide him a little additional money. In  
23 fact, he would be living over in Virginia where taxes and other  
24 things are less than they are in New York. He felt he could  
25 pick up a little additonal money there, and then he had a question



1 as to whether he might pick up one consultant fee without  
2 violating the House rules which would give him \$2,500. He has  
3 some time ago contracted with Lou Nizer to testify as an expert  
4 in a libel case that will be coming up in August somewhere out  
5 West where he would be testifying in his capacity as an expert  
6 on organized crime. It is a civil matter where I guess a member  
7 of the Mafia has sued the State -- my understanding is it was  
8 clearly a libel situation on the part of either a newspaper or  
9 magazine that wrote the article; and he would be testifying in  
10 that case.

11 I guess one is paid testimony of this sort where he would  
12 be entitled to a \$2,500 fee.

13 Mr. Sawyer. For which side?

14 The Chairman. He would be testifying against the news-  
15 paper.

16 Mr. Devine. The same situation we had with Sprague.

17 Mr. Dodd. He is not the principal in the case.

18 The Chairman. He evidently is an expert in this area and  
19 has been called as a court witness in several of those cases.  
20 I told him this is something I would have to take up with the  
21 committee; but at any rate I think he realistically would be  
22 willing to try to live with \$47.5 thousand.

23 Mr. Sawyer. What problem is there if he was called as a  
24 witness on behalf of the member of the Mafia?

25 The Chairman. I can see some problem, particularly with

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12

1 the problems this committee has had.

2 Mr. Dodd. His name is Alessandro Travicante?

3 The Chairman. No, but it is something similar to it.

4 Mr. Edgar. Mr. Chairman --

5 The Chairman. Mr. Edgar.

6 Mr. Edgar. I would like to urge the committee to move  
7 with deliberate haste to the selection of this chief counsel.  
8 I think both candidates are equally qualified and because of  
9 your interest in Mr. Blakey, having served on the task group and  
10 having met Mr. Blakey, while he was not my choice, he was  
11 clearly in the top part of the scale, and I think selecting and  
12 securing a chief counsel at this time would do more to establish  
13 this kind of mature staff morale that we are looking for now  
14 in the committee.

15 I think if we could announce tomorrow the acceptance  
16 of new chief counsel and that person could be in place by the  
17 middle of July at the latest, we could really pursue the  
18 investigations carefully. One of our concerns that we expressed  
19 in our interviewing the candidates was the fact that every day,  
20 every week pushed this off even further.

21 One of the things Mr. Lehner wanted to talk to us about  
22 and didn't have a chance is that their investigation is a little  
23 bit handicapped because they are working with three field  
24 investigators divided between Kennedy and King. One of the  
25 field investigators is leaving, a new one is possible on the

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1 horizon. They would like to see the selection of three or four  
2 minimum for the King group before the deadline passes, so those  
3 investigators can be on board before August. I know we have  
4 had a semimoratorium on hiring, rightly so, because the new  
5 chief counsel should have that responsibility; but I would just  
6 urge us to act as quickly as possible to secure the new chief  
7 counsel and allow some flexibility perhaps, at least two or three  
8 investigators coming on as quickly as possible so we can get  
9 the evidence together and pursue these cases.

10 Mr. Dodd. Mr. Chairman, I would like to suggest, I do  
11 not believe a motion is necessary unless someone so wanted,  
12 but I would like to suggest that you, as Chairman of this com-  
13 mittee, be authorized by the rest of us to make that decision  
14 as to which one of these two or any of the other ones we looked  
15 at, if you so desire to make that choice pursuant to Congress-  
16 man Edgar's last suggestion.

17 Unless there is some projection in that, I would make that  
18 as a suggestion.

19 Mr. Devine. I would agree with the assessment that the  
20 Chair should make the selection between those two persons. The  
21 only thing that troubles me is what you just pointed out, his  
22 desire to testify, to take this \$2,500 consultant fee; if he  
23 does, in fact, publicly in August, why, that may be another  
24 thing that people will jump upon.

25 Mr. Edgar. Mr. Chairman --



1 The Chairman. Mr. Edgar.

2 Mr. Edgar. Mr. Chairman, I think when we offer Mr.  
3 Blakey the opportunity to come with us, I think we should  
4 respectfully request him to not take the consultant fee. I  
5 think there will be sufficient ways that we can help Mr.  
6 Blakey. If it becomes a determinant whether he comes to us,  
7 I know it is a concern. I just frankly think we have got to  
8 be careful not to have someone testifying in August who is to  
9 spend full time here. I would urge him not to testify,  
10 request of him that he not, and then see if there isn't a way  
11 in which we can assist him as the year goes on, perhaps making  
12 sure there are few, if any, requirements that he use his own  
13 funds for any travel or any of his expenses. I just have a  
14 hesitancy to see him going out and consulting.

15 The Chairman. There was one other thing you ought to be  
16 apprised of, too. He did not know the answer to this himself.

17 Ordinarily, in the summer he conducts an institute for  
18 Cornell and he antitipates conducting an institute this summer.  
19 It lasts one week and he was not certain whether or not he  
20 would be compensated for it during that week. He had apprised  
21 me of it.

22 Mr. Devine. What type of institute?

23 The Chairman. It is a law institute that is conducted  
24 for the university, but it requires he be away that one week.

25 Mr. Fithian. Mr. Chairman, we have to make a choice here.



1 If it is a matter of dollars and cents, I would be happy to  
2 have him as chief counsel myself. I would much rather give him  
3 up for a week to go up to Cornell and let him get compensated  
4 than to go on the stand in the nature of the testimony that  
5 he is an expert witness. The \$2,500 would be paid by the  
6 defense counsel for the Mafia. That leaves me a little shakey.

7 Mr. Sawyer. That bothers me, too.

8 The Chairman. I think on that point, I think the com-  
9 mittee has well stated its opinion and the Chair understands.

10 Mr. Fauntroy. Mr. Chairman, I just had two questions  
11 and one comment. The question first is, when would he be  
12 available -- Mr. Blakey?

13 The Chairman. He is available, I think, within a period  
14 of two weeks, and he stressed the fact economically his situation  
15 is such, while he and his family are not starving, his  
16 economic situation is such that he cannot miss a two-week  
17 pay period. If he misses a two-week pay period he said they  
18 would be in trouble.

19 Mr. Fauntroy. Do I understand he has nine children?

20 Mr. Sawyer. I believe.

21 Mr. Fauntroy. Six children, a Protestant having attended  
22 Notre Dame.

23 Mr. Dodd. No, he is a Catholic.

24 Mr. Fauntroy. I was wondering how he made it.

25 Mr. Dodd. Seven children.



16

1 Mrs. Burke. He said they will be going to college soon.

2 Mr. Fauntroy. My second question is, is it possible for  
3 our chief counsel to accept honoraria and outstanding income  
4 at all? I think we had some arrangement with Mr. Sprague.

5 The Chairman. Under the House rules and, of course, if  
6 you remember, if you recall, on the floor we had debate. I  
7 assured members that the individual selected would work full  
8 time and not have outside income. That has been expressed to  
9 the House, so that is the position we are in.

10 Mr. Fauntroy. The final question with respect to Mr.  
11 Blakey has to do with his previous work, the McClellan  
12 commission. Is that the committee for which Mr. Manuel  
13 worked, does anyone know?

14 Mr. Lennon. It was my understanding that Mr. Manuel worked  
15 for the Jackson Subcommittee on Investigations.

16 Mr. Thone. He worked for the Senate International Committee,  
17 one of the witnesses told us.

18 Mr. Fauntroy. I just want to get that clear in my mind.

19 Mr. Thone. I assume Blakey worked on S. 1 and all that.

20 Mr. Lennon. I think that is correct. I would want to check  
21 that out, sir, before I give another answer.

22 Mr. Dodd. I talked to Mr. Blakey about S. 1. He was  
23 involved in an original draft of S. 1. By the time he left  
24 there was one draft and then the draft that caused the furor  
25 he was not responsible for. It was the original draft. I

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1 brought that point up with him.

2 So those members who might have been concerned about that,  
3 he was not involved in that period of time when there was --

4 Mr. Thone. To answer Mr. Fauntroy, he never was associated  
5 with the Senate International Security Committee.

6 Mr. Dodd. The only committee I know he was associated  
7 with is what appears on his resume. The title of that com-  
8 mittee was Subcommittee on Criminal Laws and Procedures.

9 Mr. Thone. That is an entirely different subcommittee.

10 Mr. Fauntroy. That satisfies me, Mr. Chairman. I would  
11 hope we would move expeditiously on this  
12 recommendation that you select the chief counsel of your  
13 choice -- we suspect that will be Mr. Blakey -- and apprise  
14 him of the concerns we have with the testimony in behalf of  
15 the Mafia.

16 The Chairman. Can the Chair just assume he has the  
17 authority to go ahead and select counsel and arrange for hire?

18 Mr. Edgar. I recommend we not approach the press until  
19 you get an affirmative decision.

20 The Chairman. Yes, and I would hope this committee, until  
21 such time we have the confirmation by the individual and this  
22 committee, of course, would make no statement regarding the  
23 chief counsel.

24 Mr. Fithian. Mr. Chairman --

25 The Chairman. Yes?



1 Mr. Fithian. May I respectfully suggest to the Chair  
2 that immediately your office get off a short letter to each  
3 of the other people we interviewed. Hopefully, they would  
4 receive this letter prior to any public announcement.

5 Mr. Dodd. If I can interrupt for a second, we have sent --

6 Mr. Lennon. I have a draft of such letter.

7 Mr. Dodd. I sent out a letter as chairman of the task  
8 force to everyone we talked to right away, thanking them for  
9 coming and telling them we would notify them of a decision.  
10 There are 13 people we are talking about that we actually  
11 interviewed. Actually, we are talking about 11 people because  
12 two of them removed themselves from consideration.

13 While certainly something must be done, I would suggest  
14 a phone call is not that difficult a thing to do, to let these  
15 people know a decision has been made and a letter would be  
16 forthcoming. A letter could take three or four days.

17 I would also suggest, Mr. Chairman, at the time this  
18 announcement is made to the public that Mr. Blakey be present  
19 for it and that I will see you get a most complete combination  
20 of all the information we have about Mr. Blakey, everything  
21 we were able to come up with, so you will have that for your  
22 own purposes for review prior to the time of going to the press.

23 The Chairman. I would think probably since we have taken  
24 so much time and tried to do this in the thorough way we have,  
25 that perhaps a press conference of the committee would be the



1 way we might want to do it.

2 Mrs. Burke. I am not sure it is necessary to say this  
3 kind of thing. I would hope we rally are very sure that  
4 Blakey has made a final decision in view of all of the ramifi-  
5 cations and the scheduling before we send a letter notifying  
6 Zagel. I do not think that is necessary.

7 One of the things I did detect in the debate on the floor  
8 was that there seems to be a great deal of unhappiness about  
9 practicing law, but most of the people seem to be willing to  
10 accept this idea of a person teaching in a law school, if they  
11 were a long-term law professor. I know our rules provide  
12 for it specifically.

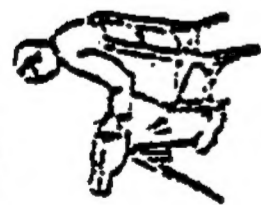
13 It seems to me if there is some way to work this out to  
14 do his one week before he is finished, if he is already com-  
15 mitted, if we could work it out some way his date would start  
16 afterward, I do not think there would be an outcry from the  
17 Hosue on him teaching a course that he was committed to teach  
18 beforehand.

19 I think practicing law, that sort of thing, and appearing  
20 as an expert witness, would be totally unacceptable.

21 Mr. Edgar. Mr. Chairman, what was the practice on each of  
22 the interviewees in terms of our funding their transportation?  
23 Did we cover the cost of that transportation?

24 end srs  
25 ef fols

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ef/fols srs

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1 Mr. Dodd. We had one individual that was not able to pay  
2 his own way. That individual happened to be Mr. Blakey. I do  
3 not want the record to reflect the Chairman and I assumed that  
4 cost because we did not provide for that in our funding resolu-  
5 tions. His bill was \$104 for a round trip ticket. The Chair-  
6 man paid \$52 and I paid \$52. I think is was money well spent  
7 considering he was our choice.

8 The Chairman. An investment anyway.

9 Mr. Edgar. May I suggest we pass the plate during a pub-  
10 lic session?

11 Mr. Sawyer. Mr. Chairman, I think no matter who you pick,  
12 I really urge you to give maybe a day or two, when you have it  
13 all nailed down, telephoning notice to the others because some-  
14 times it gives them a very good position to say they have  
15 rethought the matter and decided they want to withdraw their  
16 name from the thing so they don't leave the impression with  
17 whomever they were working with they are rejected and, there-  
18 fore, they are going to stay. It is pretty healthy to do that.


19 The Chairman. Thank you.

20 Mr. Lennon. If I might make a suggestion, I am not sure  
21 when you want to make the announcement, within how many days, but  
22 before you do, I would hope you would have Mr. Blakey come down  
23 here and we could perhaps play a devil's advocate and hit him  
24 with all the questions that is possible that we could possibly  
25 think of from the press regarding his background and his

2  
1 philosophy on the investigation so that we do not have another  
2 situation where he might be saying something inadvertently  
3 that the committee would not particularly appreciate.

4 Mr. Edgar. If I may respectfully disagree. I think we  
5 should just indicate to Mr. Blakey that he is coming on new.  
6 He doesn't know the issues of the task group. I think there  
7 is a lot of work we need to do after he arrives. But I would  
8 hate for us to hold up his selection and appointment and bring  
9 him down for a skull session. I just think it is really  
10 imperative we do this efficiently and all good speed.

11 The Chairman. I might say on that point, one of the  
12 things he and I discussed, we discussed his views toward the  
13 way the investigation ought to be conducted. One of the things  
14 he said was that if he were selected, he would want to hold  
15 one press conference for the purpose of announcing to the press  
16 that there would be no more press conferences and that this  
17 investigation then proceed out of sight of the public until  
18 such time as you have it prepared in a way that you could  
19 come forward with it. I think he is astute enough and sophisti-  
20 cated enough to know the Hill well enough to know how to handle the Hill's  
21 press.



22 Mr. Fauntroy. On that point, Mr. Chairman, I would like  
23 to suggest that we consider for the edification for both new  
24 chief counsel and all members of the committee a closed session  
25 where all of the staff personnel under the leadership of their

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counsel would present, bring us all up to date on what they have been doing with the view that both he and we can see the picture of what the staff members are doing and he can begin to make some assessments of what he has and what he may need.

The Chairman. An excellent idea.

Thank you very much.

By unanimous consent, this meeting will adjourn, subject to call of the Chair.

(Whereupon, at 1:45 p.m., the committee adjourned, subject to call of the Chair.)

